

Application Ser. No.: 10/783,451
Filing Date: February 20, 2004
Examiner: Spivack, Phyllis G.

Remarks

In the Office Action, the Examiner noted that claims 1 to 21 are pending in the application; and that claims 1 to 21 are rejected. By this amendment, claim 21 has been cancelled without prejudice or disclaimer of the subject matter contained therein. Thus, claims 1 to 20 are pending in the application. No new subject matter has been inserted through these amendments. All of the amendments are fully supported by the specification. The Examiner's rejections are traversed below.

Double Patenting Rejection

Claim 10 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 8 of U. S. Patent No. 6,720,318.

Applicants submit herewith a terminal disclaimer and a statement that the undersigned is authorized to act on behalf of the assignee of record. Thus, withdrawal of rejection as to claim 8 is respectfully requested.

Objections Under 37 CFR 1.75

Claims 16 and 21 stand objected to under 37 CFR 1.75 as being substantial duplicates.

However, as noted above, claim 21 has been canceled without prejudice rendering this objection moot. Accordingly, withdrawal of objection as to claims 16 and 21 is respectfully requested.

Conclusions

In view of the above Remarks, it is respectfully submitted that claims 1 to 20 are now in condition for allowance and the early issuance of this case is respectfully requested. In the event the Examiner wishes to contact the undersigned regarding any matter, please call (collect if necessary) the telephone number listed below.

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Applicants believe there are no fees due for this Rule 111 Amendment. However, if the Examiner deems that fees are due, please charge these fees to Deposit Account No. 18-1982 for Aventis Pharmaceuticals Inc. Bridgewater, NJ. Please credit any overpayment to Deposit Account No. 18-1982.

Respectfully submitted,

July 27, 2005

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Enclosure: Terminal disclaimer
Statement under 3.73(b)

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